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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/809,759

03/15/2001

Cary Lee Bates

ROC920000170US1

4988

7590

05/22/2006

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EXAMINER

BASHORE, WILLIAM L

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/809,759

Applicant(s)

BATES ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4,7-9,11,13,19,20,25-29,31,37,43,44 and 47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,7,8,19,20,25,26,28,37 and 43 is/are rejected.
- 7) ☒ Claim(s) 9,11,13,27,29,31,44 and 47 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: amendment filed 2/28/2006, to the original application filed 3/15/2001.
2. The rejection of the pending claims under Montalbano in view of Anupam, has been withdrawn.
3. Claims 1-2, 4, 7-9, 11, 13, 19-20, 25-29, 31, 37, 43-44, 47 pending. Claims 1, 19, 37 are independent claims.

### ***Allowable Subject Matter***

4. **Claims 9, 11, 13, 27, 29, 31, 44, 47** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-2, 4, 7-8, 19-20, 25-26, 28, 37, 43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz et al. (hereinafter Horowitz), U.S. Patent No. 6,122,647 issued September 2000, in view of Microsoft Word 2000 (hereinafter Word 2000), 1999 Microsoft corporation, screenshots from application, pp. 1-4.

**In regard to independent claim 1**, Horowitz teaches creation of contextual based hyperlinks in a document relevant to a user selected portion of a source document (links are saved via DHTML). Links are verified via user access of said links (Horowitz Abstract, column 2 lines 44-56, Figures 4c, 4d, 5; compare with claim 1 *"A computer implemented method for verifying a network address, comprising: accessing a network address included within a file;"*).

Horowitz teaches user selection of a region of text, the selected text is analyzed, and contextual links are dynamically generated, based on the content of the selected text, said links connected to topically relevant documents (Montalbano column 3 lines 12-18; compare with claim 1 and *"providing at least one context term;"*).

Horowitz teaches creation of links, said links accessible by a user (Horowitz column 2 lines 44-56; compare with claim 1 *"accessing content at the accessed network address;"*).

Horowitz teaches that contextual links are dynamically generated, based on the content of the selected text, said links connected to topically relevant documents terms. The terms may be any terms of the selected portion, or may be other terms not appearing in said portion, but associated with topics most relevant to the selected portion, based on a morphological threshold analysis (Horowitz column 7 lines 45-54, column 8 lines 50-67 to column 9 lines 1-26; compare with claim 1 *"determining whether the accessed content...the at least one contextual term;"*).

Horowitz teaches multiple links can be assigned to the same link anchor, resulting in a pop-up menu of various links pursuant to selection of said link anchor (Horowitz column 7 lines 24-35, column 10 lines 28-67 to column 11 lines 1-2). Horowitz does not specifically recite that the menu of links above are intended as substitutes for a non-qualifying link. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, since it would be well within reason for a user to access a menu link; judge accordingly (i.e. deemed not a good link), return to said menu and try another link, therefore substituting a new link for the previous link (see also Horowitz Figure 5 showing multiple related links matched to the term "Siberian Husky", etc.) (compare with claim 1 *"providing a substitute network address if the accessed content*

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*did not satisfy the qualifying threshold;*”, and “*receiving user selection of a provided substitute network address;*”). Applying this teaching would provide a user of Horowitz the benefit of double checking the accuracy of Horowitz’s link determination algorithm.

Although Horowitz teaches a menu of alternate links per tag implemented via DHTML (Horowitz column 10 lines 28-67), Horowitz does not specifically teach substituting within the file said user selected substitute address. However, Word 2000 teaches a sample document with a URL (www.uspto.gov). Pursuant to right clicking, a user is presented with an edit window with a menu of alternate (substitute) URLs is said user does not like the present URL (Word 2000 pages 1-3). The old URL within the document is replaced with the user selected URL accordingly (Word 2000 page 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the menu substitution of Word 2000 to Horowitz’s menu of links, providing Horowitz the benefit of altering the source document link directly, so as to reflect the best choice of URL destination.

**In regard to dependent claim 2**, Horowitz teaches analysis based upon a user predetermined document area (Horowitz Figure 4b item 304).

**In regard to dependent claim 4**, Horowitz teaches analysis based upon a user predetermined document area, said predetermined area (bounding box) a form of user entered terms (Horowitz Figure 4b item 304).

**In regard to dependent claims 7, 8**, Horowitz teaches preset number of instances of terms (Horowitz column 9 lines 13-26).

Horowitz teaches meta-data and various information describing documents (Horowitz column 6 lines 11-27).

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**In regard to claims 19-20, 25-26, 28**, claims 19-20, 25-26, 28 reflect the system comprising computer executable instructions used for implementing the methods as claimed in claims 1-2, 4, 7-8, and are rejected along the same rationale.

**In regard to claims 37, 43**, claims 37, 43 reflect the computer program product comprising computer executable instructions used for implementing the methods as claimed in claims 1-2, 4, 7-8, and are rejected along the same rationale.

#### ***Response to Arguments***

7. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**

May 13, 2006